

APPEAL NO. 012003
FILED OCTOBER 4, 2001

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on August 6, 2001. With regard to the disputed issue, the hearing officer determined that the respondent's (claimant) compensable injury includes the low back, neck, left hip, and right wrist.

The appellant (self-insured employer) appealed, arguing essentially that the hearing officer's decision and order is so against the great weight of the evidence as to be clearly wrong and manifestly unjust. The file does not contain a response from the claimant.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable injury on _____. The claimant was employed for over 29 years as a school teacher with the self-insured employer. The claimant testified that on _____, she slipped and fell to the ground landing on her right hand and rear end. The claimant testified that, soon after the accident, she reported to her employer that her neck hurt.

The self-insured argues on appeal that the hearing officer erred as a matter of law in determining extent of injury, that the claimant did not produce medical evidence to support extent of injury, and that there was insufficient evidence to show extent of injury. The hearing officer commented that on May 21, 1999, the self-insured employer filed a Payment of Compensation or Notice of Refused or Disputed Claim Interim (TWCC-21) that specifically states, "The self-insured accepts injuries to the neck, hip and r. wrist." The hearing officer did not err in determining that the claimant's compensable injury includes her low back, neck, left hip, and right wrist.

The hearing officer judged the credibility of this evidence and determined what weight to give to the medical reports in this case. Extent of injury is a fact question for the hearing officer. Texas Workers' Compensation Commission Appeal No. 001909, decided September 27, 2000. The hearing officer could decide to believe all, none, or any part of the evidence. After reviewing the evidence, we conclude that the hearing officer's determination regarding extent of injury is not so against the great weight and preponderance of the evidence as to be wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is _____ and the name and address of its registered agent for service of process is

Thomas A. Knapp
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge